

### III. REMARKS

1. Claims 1, 13, 21, 28, 32, 38, 50, 57, 64 and 67 are amended. Claims 1 through 72 are currently pending in this application.

2. Claims 1-5, 9-72 are patentable under 35 U.S.C. 102(e) over Haines et al., U.S. Patent No. 5,107,455 ("Haines"). Claim 1 recites, a processing unit, operatively connected to the memory and the device for receiving the authorization code, for verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated, the processing unit being able to prevent generation of the at least one postage indicium if an unauthorized change in the software component is detected. Haines fails to disclose verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated.

Haines discloses a reconfigurable postage meter having a first mode of operation wherein the meter can print postage and be used with the enabling features and a second mode of operation for altering the selected controllable features (Col. 8, L. 23-33). In Haines the meter is reconfigured by first putting the meter into an I/O configuration mode by suitable entries from the keyboard. In this mode the meter is inhibited from printing postage. (Col. 1, L. 67 - Col. 2, L. 2). The meter software generates an encrypted I/O configuration request code that is partially based on the value of the new IOCN. The I/O configuration request code is communicated to a data center

computer along with other validating identification information. The data center computer checks the code by computing the I/O configuration request code using the same algorithm. If the two values agree, the data center computer generates an encrypted I/O configuration enable code that is partially based on the meter serial number. This is communicated to the meter, which receives the computer generated I/O configuration enable code and also generates an internal I/O configuration enable code using the same encryption algorithm as the data center computer. If the I/O configuration enable codes agree, the meter overwrites the old IOCN with the new IOCN in permanent storage. The external devices in communication with the meter may then read the IOCN and implement the feature set represented by the IOCN. (Col. 2, L. 4-23).

The Examiner relies on the above cited language from Haines in rejecting claim 1, however, the above language from Haines pertains to the reconfiguration of the I/O port of the meter while the meter is in a configuration mode. The meter in Haines enters the remote I/O configuration mode by setting a mode register located in BAM. This prevents the meter from being used for printing purposes while being reconfigured (Col. 4, L. 51-55). Thus, while the meter is in the configuration mode it is inhibited from printing postage (Col. 2, L. 1-2). This is not what is recited in claim 1. Claim 1 recites, a processing unit, operatively connected to the memory and the device for receiving the authorization code, for verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated, the processing unit being able to prevent generation of the at least one postage indicium if an unauthorized change in the software

component is detected. When the meter in Haines is in printing mode, no verification of any code whatsoever is disclosed or suggested. Before printing, external devices (i.e. the printer) merely read the IOCN from the meter, or from the memory of the external device, to determine what features are available to the printer (Col. 3, L. 29-43). Haines does disclose that the meter must be reconfigured properly [while in configuration mode] or else it will not return to the print mode (Col. 5. L. 17-24) but again, this has nothing to do with verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated.

Haines merely discloses a method of changing a configuration of external devices that can communicate with the postage meter but have no ability to communicate with a host infrastructure. The only way to set up the features of the external devices in Haines is to tell the meter to relay an allowable configuration to the external device when the meter and the external device are in the next communication. The present invention is not concerned with the configuration of external devices or the control thereof. Haines simply does not disclose or suggest verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated as recited in claim 1. Therefore, claim 1 is patentable over Haines.

Claims 13, 21, 28, 38, 50 57 and 64 are patentable over Haines for reasons similar to those described above with respect to claim 1.

Further, claim 28 is patentable under 35 U.S.C. 102(e) over Haines for the additional reason that Haines fails to disclose or suggest a first memory for storing a first software component and a second software component, the first software component being able to generate at least one postage indicium, the second software component includes a selected identifier and is able to interact with the first software component as recited in claim 28.

The Examiner merely refers to figure 1 of Haines in making his rejection. The Examiner does not recognize the recitation in claim 28 where "a first memory for storing a first software component . . . the first software component being able to generate at least one postage indicium". The Examiner refers to the "features software" stored in ROM (28) of the printer (25) in Haines as being the "the second software component [being stored in the first memory] includes a selected identifier and is able to interact with the first software component" but does not indicate where Haines discloses the first software component or the interaction between the two software components. Haines simply does not disclose or suggest that "the second software component interacts with the first software component" as recited in claim 28.

Haines also fails to disclose or suggest a second memory, operably connected to the first memory, for storing a plurality of identifiers and a processing unit, operably connected to the first and second memories for determining, while the franking system is in a franking mode, whether one of the plurality of identifiers corresponds to the selected identifier in the second software component when the second software component interacts with the first software component as recited in claim 28. The

Examiner refers to ROM (22) of the meter (10) as the memory "for storing a plurality of identifiers" and being operably connected to the ROM (28) of the printer (25). Further, the Examiner refers to the microprocessor (27) of the printer (25) as being operably connected to both memories and for "for determining, while the franking system is in a franking mode, whether one of the plurality of identifiers corresponds to the selected identifier in the second software component when the second software component interacts with the first software component". The ROM (28) in Haines, is merely disclosed as "storing nonvolatile information such as software necessary to run the printer microprocessor" (27) (Col. 3, L. 24-26). ROM (22) of the meter (10) is disclosed as "storing nonvolatile information such as software and data/function tables necessary to run the [meter] microprocessor" (18) (Col. 3, L. 5-7) and is not disclosed as storing "a plurality of identifiers".

The printer (25) is a generic external device that merely prints the indicia generated by the meter (10). In the Examiner's analysis it would be the printer (25) that generates the postage indicia rather than the meter (10) as the first and second software components (the first software component generating the indicia) would be located in the printer ROM (28) (i.e. the "first memory" in the Examiner's analysis). As such, the Examiner's analysis is fundamentally flawed. The ROM (22) can not be the "second memory" called for in claim 28 for the reasons noted above. In addition, there is simply no disclosure in Haines of a first memory for storing a first software component and a second software component, the first software component being able to generate at least one postage indicium, the second software component includes a selected identifier and is able to

interact with the first software component. Therefore, claim 28 is patentable over Haines.

Claim 64 is also patentable over Haines for additional reasons similar to those described above with respect to claim 28.

Claim 32 is patentable under 35. U.S.C. 102(e) over Haines. Claim 32 recites a memory for storing a value of an account for replenishing the postage fund, the postage fund being stored within a memory of the franking apparatus and a processor, operably connected to the memory, for reconfiguring the franking apparatus, a reconfiguration of the franking apparatus incurring a reconfiguration cost that is separate from the postage fund, the reconfiguration cost being debited from the account for replenishing the postage fund and a value of the postage fund stored within the memory of the franking apparatus is unaffected by the reconfiguration. Haines fails to disclose or suggest these features.

Again, the Examiner merely refers to figure 1 (ROM 22 and microprocessor 27) of Haines with no further explanation. Haines does not disclose any type of funds transaction, nonetheless incurring a reconfiguration cost that is separate from the postage fund [stored within the meter], the reconfiguration cost being debited from the account for replenishing the postage fund and a value of the postage fund stored within the memory of the franking apparatus is unaffected by the reconfiguration. Haines only discloses a method of changing the configuration of external devices that communicate with a postage meter. Therefore, claim 32 is patentable over Haines.

Claim 67 is patentable over Haines for reasons similar to those described above with respect to claim 32.

Claims 2-12, 14-19, 22-37, 39-50, 51-56, 58-72 are patentable by reason of their respective dependencies.

3. Claim 6-8, which depend from claim 1, are patentable under 35 U.S.C. 103(a) over Haines in view of Obrea, U.S. Patent No. 4,785,417. For the reasons described above, Haines fails to disclose the features of claim 1. Obrea also fails to disclose these features. Obrea discloses a method for checking if the postage meter program enters a routine which, under particular a condition, is out of sequence from that which should be operating (Col. 2, L. 35-43). Nowhere does Obrea disclose or suggest a processing unit, operatively connected to the memory and the device for receiving the authorization code, for verifying, when the franking system is in a franking mode, at least part of the authorization code for detecting any unauthorized change in the software component before the at least one postage indicium is generated, the processing unit being able to prevent generation of the at least one postage indicium if an unauthorized change in the software component is detected. Obrea merely discloses a method for checking program sequencing. Thus, claim 1 is patentable over Obrea.

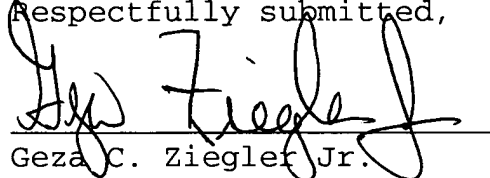
Therefore, claim 1 is patentable over Haines and Obrea, individually or in combination. Claims 6-8 are patentable over the combination of Haines and Obrea by reason of their respective dependency.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly

novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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20 JAN 2006  
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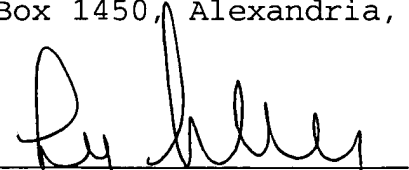
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